

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 10, 2002**

AGENDA ITEM NO.: **16**

CONSENT:

REGULAR: **X**

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: **Public Hearing Regarding Vacating a portion of Irvington Springs Road**

RECOMMENDATION:

Adopt ordinances vacating a portion of Irvington Springs Road.

SUMMARY:

Jim Burruss (Burruss Land Company) is petitioning the City to vacate a portion of Irvington Springs Road. The Technical Review Committee (TRC) report is attached. All adjoining property owners are in agreement with the request. The TRC comments have been incorporated into the proposed ordinance.

PRIOR ACTION(S):

August 6, 2002: Technical Review Committee Review
September 3, 2002: Physical Development Committee Review

BUDGET IMPACT:

None

CONTACT(S):

Pat Kost 847-1443/228
Jim Burruss 384-0388

ATTACHMENT(S):

- Ordinance
- Maps
- Technical Review Committee Report
- Application to Vacate

REVIEWED BY: lkp

AN ORDINANCE VACATING A PORTION OF IRVINGTON SPRINGS ROAD

WHEREAS the City of Lynchburg on its own motion is proposing to vacate a portion of Irvington Springs Road; and

WHEREAS the petitioner owns property that abuts the public street and all other adjoining property owners are in agreement; and

WHEREAS City Council finds that no public inconvenience will result from vacating this portion of Irvington Springs Road;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lynchburg, on its own motion, and in accordance with the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 36-77 of the City Code, 1981, as amended, the following described portion of Irvington Springs Road be, and the same hereby is discontinued and vacated, namely:

The existing right-of-way for Irvington Springs Road located approximately 2,000 feet south of New Britain Drive and adjoining the properties of Burruss Land Company (Beacon Hill Subdivision), B. J. Moomaw, Jr., and George R. and Betty A. Mills.

Said vacation is contingent upon the following: (1) that public right-of-way be dedicated to the City of Lynchburg for the relocation of this portion of Irvington Springs Road, (2) that an easement to locate, relocate, repair, replace, maintain and perpetually operate all utilities currently located therein or needed by the City in the future is hereby reserved unto the City of Lynchburg, and the construction of any building or structure or the use of the vacated property in any manner that could interfere with the City's right to locate, relocate, repair, replace and maintain and perpetually operate utilities is prohibited without the prior written approval of the City Manager's Office, City Utilities Division and the City Engineering Division, and (3) that a plat showing the vacation of the new lot line that would be created along the vacated right-of-way must be submitted for review and approved by the Technical Review Committee.

BE IT FURTHER ORDAINED That the Clerk of Council is hereby authorized and directed to deliver a duly-certified copy of this ordinance to the Clerk of the Circuit Court for the City of Lynchburg so that said certified copy of this ordinance may be recorded as deeds are recorded and indexed in the name of the City of Lynchburg.

Adopted:

Certified:

Clerk of Council

176P

31

01

(1)

212-07

02

(2)

03

(3)

06

03

212-01

GEORGE R. AND
BETTY A. MILLS

04

05

30

COMMON AREA

24/25

23

WISHMORE
LANE

22

21

21

T.M. # 212-01-07

PROPOSED 50' R/W

EXISTING R/W TO BE VACATED

14

IRVINGTON SPRINGS ROAD

B.F. MOOMIAW
T.M. # 218-06-05

BEACON HILL SUBD
BURRUSS LAND COMPANY

PROPOSED STREET VACATION

PORTION OF
IRVINGTON SPRINGS ROAD



NORTH

GEORGE R. MILLS &
BETTY A. MILLS
D.B. 795 PG. 668
T.M. # 212-01-04,05

B. F. MOOMAW, JR.
T.M. # 212-03-01

SHADED AREAS
REPRESENT LAND TO BE
DEDICATED TO CITY
OF LYNCHBURG
FOR 50' R/W

HATCHED AREAS
REPRESENT LAND TO BE
ACQUIRED BY BEACON HILL
SUBDIVISION FROM
PRESENT OWNERS

DOTTED AREAS
REPRESENT EXISTING
R/W TO BE VACATED
BY CITY COUNCIL ACTION

PROPOSED
VARIABLE WIDTH R/W AT ENTRANCE

PROPOSED
50' R/W

PROPOSED BEACON
HILL SUBDIVISION
(BURRUSS LAND COMPANY)
INSTRUMENT # 020007757
PC. 7 SLIDE 87-88

B. F. MOOMAW, JR.
T.M. # 218-06-05

AUGUST 21, 2002

HURT & PROFFITT
INCORPORATED
2524 LANGHORNE ROAD
LYNCHBURG VA 24501
800.742.4906 TOLL FREE
434.847.7796 MAIN
434.847.0047 FAX





The City of Lynchburg, Virginia

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PLANNING DIVISION

August 27, 2002

TO: Patricia W. Kost, Clerk of Council

FROM: Annette M. Chenault, Planner II *Annette M. Chenault*

SUBJECT: Street Vacation – Portion of Irvington Springs Road
TRC Review: August 6, 2002

On August 6 the Technical Review Committee (TRC) reviewed a street vacation request for a portion of Irvington Springs Road. Following are the comments:

1. The subject project proposes the vacation of a portion of Irvington Springs Road. Mr. Jim Burruss, Burruss Land Company, has completed an application to vacate the right-of-way, and the matter is scheduled for City Council review on September 10.
2. If the subject portion of street is vacated, a new property line would be drawn down the center of the vacated right-of-way. This would create a parcel between the vacated right-of-way and the new right-of-way. Show on the subdivision plat the vacation of the new lot line that would be created along the vacated right-of-way.

Attachment

Pc: Technical Review Committee
Burruss Land Company

APPLICATION FOR THE VACATION OF A

Irvington Springs Rd
(Street/Alley)

LOCATED BETWEEN

Boonsboro Rd & End of Irvington Springs Rd

The undersigned applicant, Mr. Jim Burruss (Burruss Land Company)
pursuant to the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and
Section 35-71 through Section 36-77 of the City Code, 1981, as amended, respectfully makes
application to the Lynchburg City Council for the vacation of that certain Road
described as follows:

That existing r/w for Irvington Springs Road located
approximately 2000 ft south of New Britain Dr. and
adjoining the properties of Burruss Land Co. (Beacon Hill
Subdivision), B.F. Moomaw Jr., and George R. and Betty A.
Mills. (See attached drawing)

The applicant further requests the Lynchburg City Council to hold a public hearing on
this application at its meeting to be held in the Council Chambers, City Hall, 900 Church Street,
Lynchburg, Virginia, on _____, at 7:30 p.m., or as soon thereafter as
the matter may be heard, and at the conclusion of which hearing to consider whether or not to
vacate the above described _____.

Given under my hand this _____ day of _____, 20____.

Burruss Land Company
BY James R. Burruss PRESIDENT
Applicant

2815 LINKHORNE DRIVE
Address
LYNCHBURG, VA. 24503

384-0388
Telephone Number

WE, THE ADJOINING PROPERTY OWNER(S), ARE IN AGREEMENT TO THE
VACATION OF THE ABOVE DESCRIBED PROPERTY:

B. F. MOOMAW, JR
889 RUSSELL WOODS DR.
LYNCHBURG, VA 24502
B. F. Moomaw 8-21-02

George R. Mills
203 IRVINGTON Sps. Rd.
Lynchburg, VA 24503

George R. Mills
203 Irvington Springs Rd
Lynchburg, VA 24503